

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.117 of 2024

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Nutan Kumari W/o Sunil Kumar Singh, R/o Ghataro, Ghataro Chaturbhuj,
P.S.- Mahnar, District- Vaishali, Bihar, Pin- 844119.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Vaishali at Hajipur.
4. The District Programme Officer (Establishment), Vaishali at Hajipur.
5. The Block Education Officer, Lalganj, Distt.- Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Shukla, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra, SC-16

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 01-03-2024

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has prayed for following reliefs:

i. To issue a writ of certiorari for quashing the order of the District Education Officer, Vaishali whereby and whereunder the services of the petitioner has been terminated in a very arbitrary and cavalier manner vide office orders contained in memo no.2933 dated 02.05.2015, pursuant to the official letter no.954 dated 27.11.90 whereby and whereunder the petitioner's teacher training



certificate of Lord Buddha Mission Primary Teachers Training College, has been kept in the list of unrecognised institution which is patently illegal and arbitrary in the eyes of law.

ii. It is further prayed that this Hon'ble court be pleased to hold and adjudicate that the certificate of the petitioner is valid and genuine and thus her appointment was made vide Memo No.774 dated 09.02.2012 on the post of Assistant Teacher pursuant to the direction of the Apex Court from the approved list of the Trained Teachers.

iii. It is further prayed for issuance of an appropriate order/orders in the nature of mandamus directing and commanding the respondents to reinstate the petitioner on the post of Assistant Teacher at the place of earlier posting in the District of Vaishali with all consequential benefits.

iv. It is further prayed that this Hon'ble court be pleased to grant any other relief for which petitioner is found entitled and an appropriate writ/writs direction/directions,



order/orders may be issued under the given facts and circumstances of the case.

3. At the very outset, learned counsel for the petitioner submits that the case of the petitioner is squarely covered with the judgment dated 28.08.2023 passed in L.P.A. No.1254 of 2016 and other analogous cases. He further submits that some coordinate Bench of this Court has also passed judgment in the case of others and the petitioner's case stands on similar footing.

4. In view of the fair submission made by learned counsel for the petitioner, in my view, no useful purpose would be served keeping this writ application pending.

5. Accordingly, this writ application is disposed of with a direction to the petitioner to file a representation before the District Programme Officer Establishment, Vaishali at Hajipur (respondent no.4) along with the judgment aforesaid and other documents in support of her claim. The District Programme Officer Establishment, Vaishali at Hajipur (respondent no.4) shall dispose of the representation of the petitioner by a reasoned and speaking order within four weeks from the date of its receipt.

6. It is made clear that the District Programme Officer



Establishment, Vaishali at Hajipur (respondent no.4) shall be personally responsible for non-compliance of this order within the stipulated period.

(Anjani Kumar Sharan, J)

Trivedi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.03.2024
Transmission Date	NA

